

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE NORTH FACE APPAREL CORP., a
Delaware Corporation, and PRL USA
HOLDINGS, INC., a Delaware Corporation,

Plaintiffs,

v.

FUJIAN SHARING IMPORT & EXPORT LTD.
CO. d/b/a B2BSHARING.COM; DONGPING LIU
a/k/a DONG PING LIU; YUAN CHEN; ANDY
HUANG; MIN CHEN; CAI XIAN SHENG;
MICHAEL LIN; LIMING WANG a/k/a
JUNZHENG JIA; FANG CHENG; WEIXIAN
LIN; ZHOU CHANG; PP JINBO; JERRY
URBEN; HUNAG YANXIA; WANG ZHAO
HUI; CHENGYUAN ZHAO; ZHAO HUI;
ZHANG XUE PING; QINGXIONG SU; CAI
XIANGJIAO; ZHUANG TING TING; XU DAN;
INFEI YE; ZOU JIA QI; LIU ZHAO DI; CHENG
XIAO RONG; XIE ZHAO XI; HUANG DENIG
QIANG; JIE ZHAO; LIN XIA MEI; WENG
FENG ZHU; JIA DE BAO; QIAO YAN PING; XI
QIANG; TAO ZHU; LIN JIAN PING; CAI
ZHONGYING a/k/a NANCY LIN; WANG
XUEMIN; JUNMIN JIA; LIU SU JUN;
FANMING WU; HUANG ZHI BING;
CONGLONG LIN; LIU LIN FIANG; GUO XUE
LIANG; MING FENQ GU; ZHENG YU TANG;
CHEN WEIGUI; YU JIA LONG; LU XIAO
YANG; LIU QIAO LING; CHEN JIAN SHENG;
CAO CHUN LIN; CHEN JIAN; JIANG LONG
SHENG; MA SHI LEI; JUNJIE JIA; HUANG
JIAN XIONG; CHENG XIAN WEI; WANG
ZHEN YONG; JIAN CHEN LIN; QIU LI SHAN;
XIAN TING; WANSHAN LIN; CHEN QING
CHONG; HUANG JIAN RUI; ZHIYAN LI; RUI
YANG; YOU ZONG YANG; MI GUI YING; LU
XIN LUAN; CHEN JIANFANG; RUI ZHANG
IXIE; ZHIANG SHU; LIN YI CHUN; LI ZHAN;
LU MINGZHI; WU ZHIYONG; WANG YUN
MINGZHI; TIAN ZHENHUA; GUO ZHI BIN;
MIAO CHUN LAN; WENG YI XIN; LIANG
XIAOYANG; YIN LI YING; FAN QIANG; LI
XUE FENG; GUAN WEI JIAN; SUN CUI
RONG; XIU MINGZHI; CAI YUN JING; YE
XIN ZHUO; CHEN SHUANG YING; CHEN YA
BO; SU YUAN LIAN; GUO SUQING; LIN JUN
QIN; WANG ZHI XIANG; XIE CHAO; FAN

CIVIL ACTION
NO. 10-CIV-1630 (AKH)

**[PROPOSED] TENTH
SUPPLEMENTAL ORDER TO
DISABLE AND TRANSFER
DEFENDANTS' NEWLY-
DETECTED DOMAINS**

**[FILED UNDER SEAL
PURSUANT TO 15 U.S.C. § 1116]**

KEYANG; CAI YA QUAN; WENG YUAN
DONG; CHEN SHUN JIN; XU WEIQUN; ZHU
TING MING; JOHN AND JANE DOES; AND
XYZ COMPANIES,

Defendants.

WHEREAS THIS COURT entered an *ex parte* temporary restraining order, seizure order, asset restraining order, domain name transfer order, and order to show cause for a preliminary injunction on March 2, 2010 (“TRO”), and a Preliminary Injunction on March 16, 2010 continuing the relief set forth in the TRO; and

WHEREAS THIS COURT, on September 13, 2010, entered a Default Judgment and Permanent Injunction against Defendants and in favor of Plaintiffs in the sum of \$78,000,000 and a permanent injunction continuing the relief set forth in the Preliminary Injunction, *inter alia*, permanently enjoining and restraining Defendants FUJIAN SHARING IMPORT & EXPORT LTD. CO. d/b/a B2BSHARING.COM, DONGPING LIU a/k/a DONG PING LIU, YUAN CHEN, ANDY HUANG, MIN CHEN, CAI XIAN SHENG, MICHAEL LIN, LIMING WANG a/k/a JUNZHENG JIA, FANG CHENG, WEIXIAN LIN, ZHOU CHANG, PP JINBO, JERRY URBEN, HUNAG YANXIA, WANG ZHAO HUI, CHENGYUAN ZHAO, ZHAO HUI, ZHANG XUE PING, QINGXIONG SU, CAI XIANGJIAO, ZHUANG TING TING, XU DAN, INFEI YE, ZOU JIA QI, LIU ZHAO DI, CHENG XIAO RONG, XIE ZHAO XI, HUANG DENIG QIANG, JIE ZHAO, LIN XIA MEI, WENG FENG ZHU, JIA DE BAO, QIAO YAN PING, XI QIANG, TAO ZHU, LIN JIAN PING, CAI ZHONG YING a/k/a NANCY LIN, WANG XUEMIN, JUNMIN JIA, LJU SU JUN, FANMING WU, HUANG ZHI BING, CONGLONG LIN, LIU LIN FIANG, GUO XUE LIANG, MING FENQ GU, ZHENG YU TANG, CHEN WEIGUI, YU JIA LONG, LU XIAO YANG, LIU QIAO LING, CHEN JIAN SHENG, CAO CHUN LIN, CHEN JIAN, JIANG LONG SHENG, MA SHI LEI, JUNJIE

JIA, HUANG JIAN XIONG, CHENG XIAN WEI, WANG ZHEN YONG, JIAN CHEN LIN, QJU LI SHAN, XIAN TING, WANSHAN LIN, CHEN QING CHONG, HUANG JIAN RUI, ZHIYAN LI, RUI YANG, YOU ZONG YANG, MI GUI YING, LU XIN LUAN, CHEN JIANFANG, RUI ZHANG IXIE, ZHIANG SHU, LIN YI CHUN, LI ZHAN, LU MINGZHI, WU ZHIYONG, WANG YUN MINGZHI, TIAN ZHENHUA, GUO ZHI BIN, MIAO CHUN LAN, WENG YI XIN, LIANG XIAOYANG, YIN LI YING, FAN QIANG, LI XUE FENG, GUAN WEI JIAN, SUN CUI RONG, XJU MINGZHI, CAI YUN JING, YE XIN ZHUO, CHEN SHUANG YING, CHEN YA BO, SU YUAN LIAN, GUO SUQING, LIN JUN QIN, WANG ZHI XIANG, XIE CHAO, FAN KEYANG, CAI YA QUAN, WENG YUAN DONG, CHEN SHUN JIN, XU WEIQUN, ZHU TING MING, JOHN and JANE DOES, and XYZ COMPANIES (collectively referred to as “Defendants”), where JOHN and JANE DOES and XYZ Companies referred to individuals and/or entities who own, owned or have created other domain names, websites, and/or payment accounts to manufacture, export, import, distribute, promote, advertise, offer for sale and/or sell goods bearing Plaintiffs’ federally registered trademarks (“Plaintiffs’ Marks”), their officers, agents, servants and employees and any persons in active concert or participation with them from:

(i) using Plaintiffs’ federally registered trademarks or any reproduction, counterfeit, copy or colorable imitation of Plaintiffs famous trademarks in connection with the manufacture, distribution, advertising, offer for sale and/or sale of merchandise not the genuine products of Plaintiffs, or in any manner likely to cause others to believe that Defendants’ products are connected with Plaintiffs or Plaintiffs’ genuine merchandise bearing Plaintiffs’ Marks; and

(ii) passing off, inducing or enabling others to sell or pass off any apparel, backpacks, gloves, shoes or other items which are not Plaintiffs’ genuine merchandise as and for Plaintiffs’ genuine merchandise; and

(iii) committing any other acts calculated to cause purchasers and/or the general public to believe that Defendants’ products are Plaintiffs’ genuine merchandise unless they are such; and

(iv) shipping, delivering, holding for sale, distributing, returning, transferring or otherwise moving, storing or disposing of in any manner apparel or other items falsely bearing Plaintiffs' Marks, or any reproduction, counterfeit, copy or colorable imitation of same; and

(v) utilizing or registering any domain names that use or incorporate any of Plaintiffs' Marks; and

(vi) operating or hosting Defendants' websites; and

(vii) assisting any other person or business entity in engaging in or performing any of the activities referred to in the above subparagraphs (i) through (vi);

(the "Permanent Injunction"); and

WHEREAS THIS COURT, on December 2, 2010, entered an Amended Default Judgment and Permanent Injunction ("Amended Default Judgment and Permanent Injunction"); and

WHEREAS THE COURT having considered the above, and having reviewed Plaintiffs' Application for a Tenth Supplemental Order, the supporting declaration and exhibit submitted therewith and having been fully advised on all relevant matters, and with good cause appearing, therefore, the Court finds:

1. Defendants have violated the terms of the Amended Default Judgment and Permanent Injunction in that they have operated and continue to operate online counterfeiting networks, including by promoting, advertising and otherwise optimizing the online presence of and driving traffic to their infringing websites and by manufacturing, distributing, offering for sale and/or selling goods bearing counterfeits and infringements of Plaintiffs' Marks ("Counterfeit Products") as well as counterfeits of other trademarked goods, at wholesale and retail to buyers in the United States and elsewhere, including in this Judicial District,

2. Defendants continue to register additional domain names ("Defendants' Newly-Detected Domains") and utilize websites connected to those domain names to conduct

their counterfeiting operations, including but not limited to, those listed in **Exhibit 1** attached hereto; and

3. Defendants have continued and continue, in bad faith, to use and/or register Plaintiffs' Marks in many of Defendants' Newly-Detected Domains; and

4. Defendants are able to continue their open contempt of this Court's Amended Default Judgment and Permanent Injunction through the virtual autonomy of the Internet, by *inter alia*, attempting to hide behind false names and identities; utilizing privacy-protection services; registering new domain names, email accounts and payment accounts; and switching Internet services between offshore hosts; and

5. Defendants are in contempt of this Court's Amended Default Judgment and Permanent Injunction and will continue to act in contempt of this Court's Amended Default Judgment and Permanent Injunction; and

6. Plaintiffs will continue to suffer irreparable harm without the entry of this Tenth Supplemental Order To Disable And Transfer Defendants' Newly-Detected Domains ("Tenth Supplemental Order").

THEREFORE THIS COURT HEREBY ORDERS that:

1. Defendants' Newly-Detected Domains listed in **Exhibit 1** to this Tenth Supplemental Order are hereby recognized to be "Newly-Detected Domains" as defined in the Amended Default Judgment and Permanent Injunction; and

2. All provisions of the Court's Amended Default Judgment and Permanent Injunction apply to Defendants' Newly-Detected Domains listed in **Exhibit 1** to the Tenth Supplemental Order, including, but not limited to, the following provisions:

ORDERED that in accordance with this Court's inherent equitable powers and its power to coerce compliance with its

lawful orders, and due to Defendants' ongoing proliferation of domain names for operation of its counterfeiting activities, as Plaintiffs discover new domain names ("Newly-Detected Domains"), registered by Defendants, containing Plaintiffs' Marks or marks confusingly similar thereto, and/or used in conjunction with the sale of counterfeit goods (whether or not the Newly-Detected Domains contain Plaintiffs' Marks or marks confusingly similar thereto), Plaintiffs shall have the ongoing authority to seek supplemental orders of the court, but only against persons over whom the court has in personam jurisdiction. (*Squeez-A-Purse Corp. v. Stiller*, 31 F.R.D. 261, 263 (S.D.N.Y. 196)).

ORDERED that within two (2) days after any Newly-Detected Domains are disabled, Plaintiffs shall serve this Amended Permanent Injunction by email or other reasonable means to the contact information associated with that domain name in the WhoIs database, containing a notification that the Newly-Detected Domains have been disabled pursuant to this Amended Permanent Injunction.

3. This Court shall retain jurisdiction to the extent necessary to enforce this Tenth Supplemental Order and to determine any issues that may arise thereunder.

SO ORDERED:

DATE: _____

The Honorable Alvin K. Hellerstein

EXHIBIT 1

Newly-Detected Domains
2012cheapnorthface.com
2012cheapnorthfacejackets.com
2012northfacejacketsale.com
2012northfaceonline.com
2012thenorthfaceoutlet.com
24northface.com
74northfaceoutlet.com
77northface.com
amnorthface.org
amthenorthface.org
anorthface.org
anorthfaceoutletberkeley.com
anorthfaceoutletlocations.com
aqr.xinfo
atnorthface.com
baynorthfaceoutlet.net
bestcheapnorthface.com
bethenorthface.com
billigemonclerjakker.dk
billigjakkedenmark.com
blackfridaynorthface.com
blousonnorthfacepascher.com
boutique-doudouneenligne.com
buynorthface7.com
buynorthfaceoutlet.com
buynorthfaceoutlets.com
buythenorthfacejacketsoutlet.com
canada-northface.com
cheapcoatsoutdooronline.net

cheapernorthfacejacketsok.com
cheapestthenorthface.com
cheapnorthface-4u.com
cheapnorthface-4u.net
cheapnorthface-4u.org
cheapnorthfacejackets99.com
cheapnorthfacejackets-onsale.com
cheapnorthfacejacketsoutletd.com
cheapnorthfacejacketsq.com
cheapnorthfaceonlines.com
cheapnorthfaceoutleta.com
cheapnorthfaceventurejacket.com
cheapnorthfacewindwalljacketssale.com
cheapnorthfacewomenjackets.com
cheapnorthsfaceoutlet.com
cheappinkribbonnorthface.net
cheapsalesnorthface.com
cheapstthenorthfacejackets.com
cheapthenorthface2012.com
cheapthenorthfacejacket.us
cheaptnfjacketsmorediscont.org
china-wholesale.com
clearancenorthfaceoutlet.com
cnorthfacejacketsonsale.com
coolnorthface.com
discountnfjackets.com
discountnorthfacedownjackets.com
discountnorthfacejacket.net
discountnorthfacejacketssale.com
discountnorthfacejacketsv.com
discountnorthfacemensjackets.com

doudounecapuchefourrurerepascher.com
doudounefrancepascher.com
doudounethenorthfaceboutique.com
doudounethenorthfaceparka.com
easyushopping.net
facecoats.net
fcnorthfaceoutlet.com
iamnorthface.com
icheapnorthfacejackets.com
jackejacke.de
jacketsbox.com
jacketsbox.info
jackets-buy.info
jacketsclearancebuy.com
jacketsclearancebuy.us
jacketsnorthfacecheap.com
jacketsonlineshop.com
jacketsshopping.com
jakkebillige.com
kidsnorthfacejackets.org
kissjackets.info
kissthenorthface.org
love-northface.com
love-northface.com
manteauxboutique.com
manteauxpaschere.com
mrnorthface.com
mynorthfacecanada.com
neednorthface.com
fnorthface.co.uk
northface2jackets.org

northface4outletuk.com
northfaceapexbionicclearancesale.net
northfacebelgium.com
northfaceblackfriday.com
northfaceblackfriday.us
northfacebreastcancer.net
northfacebruxelles.com
northfacecanadastore.com
north-facecatalyst.com
northface-cheap.org
northfaceclearancej.com
northfaceclearancejacket.com
northfaceclearanceoutlet777.org
northfaceclearanceshops.com
northfaceclearancestore.com
northfaceclearanceusa.com
northfaceclearancev.com
northfacecoatstores.com
northfacecouksale.com
northfacecouponss.com
northfacecybermonday.com
north-facedealers.com
northfacedenali.net
northfacedenalisales.co.uk
northfacedenalisales.net
northfacedenaliwomens.net
northfacedenaliwomensjacket.org
northfacediscount.co.uk
northfacediscounted.co.uk
northfacedoudouneparis.com
northfacedress.com

northfaceejackets.com
northfaceesale.com
northfaceestore.com
northfacefactoryoutletstore.com
northfacefleececheap.com
northfacefleecejacketsale.com
northfaceforsale.co.uk
northfacegilet.com
northfacehoodie-outlet.com
northfacehot.net
northfacehot.org
north-faceisabella.com
northfacejacke.de
northfacejacke-de.com
northfacejacket2012sale.com
northfacejacketonbuy.com
northfacejackets2012.org
northfacejackets2uk.com
northfacejacketsale2012.com
northfacejacketsaleonline.com
northfacejacketscheap.co.uk
northfacejacketsforwomensvip.com
northfacejacketshop2012.net
northfacejacketsoutletou.com
northfacejacketsoutletstore.net
northfacejakkedk.eu
northface-jakker.dk
northfacejakkeroslo.com
north-facejkt.com
northfacen.com
northfaceonline2012.com

northfaceonline7.com
northfaceosohoodie.com
northfaceoutlet-4u.com
northfaceoutlet-4u.net
northfaceoutlet-4u.org
northfaceoutletbay.com
northfaceoutletberkeleys.org
northfaceoutletberkeleys.org
northfaceoutletbie.com
northfaceoutletbuy.net
northfaceoutletcheapsales.com
northfaceoutletcoat.com
northfaceoutletcoats.com
northfaceoutleteshop.com
northfaceoutlethot.com
northfaceoutletmore.net
northfaceoutletn.com
northfaceoutletonliner.com
northfaceoutletsalecheap.com
northfaceoutletsalete.com
northfaceoutletschicago.com
northfaceoutletssalen.com
northfaceoutletstored.com
northfaceoutlets-us.com
northfaceoutletus.com
northfaceoutletusastore.com
northfaceoutletvip.com
northfaceoutletwholesale.com
northfacerainjacketsale.com
northfacesalecanada.com
northfacesalediscount.com

northfacesalee.org
northfacesaleforcheap.com
northfacesale-jackets.com
northfacesale-outlet.co.uk
north-faceshell.com
north-faceshelljacket.com
north-faceskicoats.com
north-faceskijacket.com
northfaceuk2012.net
northfaceukbuy.com
northfaceukoutletsale.com
northfaceuksale.com
northfaceukstore.org
northfacevente.com
north-facevestsale.com
north-facewholesale.com
north-face-wholesale.com
northfacewindbreakeroutletstore.net
northfacewindstopperclearance.org
northfacewintercoatsonsale.com
northfacewomensjacketsstore.com
northsfaceoutlet.net
officialnorthfaceuk.com
outdoorjacketsstore.com
outlet-northface.org
parkanorthface.com
replica-wholsale.com
tatabay.com
thecheapnorthfacejackets.com
thenorthefaceus.com
thenorthface.dailylookfor.com

thenorthface1968.com
thenorthfaceapexjackets.com
thenorthfacearea.com
thenorthface-australia.com
thenorthfaceblackfriday.com
thenorthfacecheap2012.com
thenorthfacecheapoutlet.com
thenorthfaceclearancenow.net
thenorthfacedenaliforsale.com
thenorthfacedenalihoodie.com
thenorthfaceeuro.co.uk
thenorthfacefactory.org
the-northfacejacke.com
thenorthface-jackets.net
thenorthfacejacketsale.co.uk
thenorthfacejacketsbest.com
thenorthfacejacketscheapsale.com
thenorthfacejacketsonsale2012.com
thenorthfacejacketsoutletn.com
thenorthfacejakkera.dk
thenorthfacenewstore.org
thenorthfaceonline.co.uk
thenorthfaceonlinesale.org
thenorthfaceoutdoor.co.uk
thenorthfaceoutdoorkit.co.uk
thenorthfaceoutlet.cc
thenorthfaceoutlet.me.uk
thenorthfaceoutlet2u.com
thenorthfaceoutletbuy.com
thenorthface-outletc.us
thenorthfaceoutletcanada.ca

thenorthfaceoutlet-e.com
thenorthfaceoutlet-el.com
thenorthfaceoutleti.com
thenorthfaceoutletmart.com
thenorthfaceoutlet-ol.com
thenorthfaceoutletonline.info
thenorthfaceoutletsale.info
thenorthfaceoutletshop.info
thenorthfaceoutletu.com
the-northfaceoutletu.com
thenorthfaceoutletusonline.com
thenorthfaceoutletusonline.net
thenorthfaceoutletvip.co.uk
thenorthface-s.co.uk
thenorthfacesale12.com
thenorthfaceshopping.info
thenorthfacestoreonline.net
thenorthface-ukoutlet.co.uk
thenorthface-vip.us
thenorthsface.com
tnfmallvip.com
tnfoutletstore.co.uk
tnfus.com
tnorthfacedunjakke.com
tnorthfacejakke.eu
tnorthfaceukstore.co.uk
topnorthfacejacketsale.com
topnorthfacemart.us
uknorthfacejacketsoutlet.com
uknorthfaceoutletsale.co.uk
uknorthfaceoutletsale.org.uk

uknorthfaceoutletssale.co.uk
ulstyleshop.com
usanorthfaceoutlet.net
usanorthfaceoutletat.us
usanorthfaceoutlethot.us
usanorthfaceoutletin.us
usanorthfaceoutletonline.us
usanorthfaceoutlettop.us
vestenorthfaceparis.com
vestepascherenligne.com
vipnorthface.com